

CITY OF JERSEY CITY

280 Grove Street
Jersey City, New Jersey 07302



Robert Byrne, R.M.C., City Clerk
Sean J. Gallagher, R.M.C., Deputy City Clerk



Rolando R. Lavarro, Jr., Councilperson-at-Large
Daniel Rivera, Councilperson-at-Large
Joyce E. Watterman, Councilperson-at-Large
Frank Gajewski, Councilperson, Ward A
Khemraj "Chico" Ramchal, Councilperson, Ward B
Richard Boggiano, Councilperson, Ward C
Michael Yun, Councilperson, Ward D
Candice Osborne, Councilperson, Ward E
Diane Coleman, Councilperson, Ward F

Agenda Regular Meeting of the Municipal Council Wednesday, March 9, 2016 at 6:00 p.m.

Please note: The next caucus meeting of Council is scheduled for Monday, March 21, 2016 at **5:30 p.m.** in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is scheduled for Wednesday, March 23, 2016 at **6:00 p.m.** in the Anna Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room, City Hall.

1. (a) **INVOCATION:**
- (b) **ROLL CALL:**
- (c) **SALUTE TO THE FLAG:**
- (d) **STATEMENT IN COMPLIANCE WITH SUNSHINE LAW:**

City Clerk Robert Byrne stated on behalf of the Municipal Council. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Wednesday, November 25, 2015, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2016.

The Agenda of this meeting was disseminated on **Thursday, March 3, 2016 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

All items listed on the meeting calendar with an asterisk (or asterisks) are considered routine by the municipal council and will be enacted by one motion (and roll call) without separate discussion of each item. If discussion is desired on any item and permitted by the council, that item will be considered separately.

Consent Agenda adopted by Ordinance J-636 and supplemented by Ordinance C-248.

Please understand that all documents listed in the consent agenda are available for public perusal at this meeting.

*3.	ORDINANCE HEARING	FIRST READING	CITY CLERK FILE
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| a. | An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A.</u> 40A:21-1, et seq., and Section 304-9 of the Municipal Code for property designated as Block 1505 Lot 55 commonly known by the street address of 54 Graham Street. | Ord. 16.045 |
| b. | An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A.</u> 40A:21-1, et seq., and Section 304-9 of the Municipal Code for property designated as Block 6701 Lot 24 commonly known by the street address of 628 Summit Avenue. | Ord. 16.046 |
| c. | Ordinance by the Municipal Council of the City of Jersey City vacating a portion of Marcy Avenue, Jersey City. | Ord. 16.047 |
| d. | Ordinance of the Municipal Council of the City of Jersey City adopting an amendment to the Zoning Map expanding the Restaurant Overlay Zone. | Ord. 16.048 |
| e. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance to prohibit automobiles from blocking the sidewalk or extending into the right of way. | Ord. 16.049 |
| f. | Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Morris Canal Redevelopment Plan to create an affordable housing provision in the TOD-W Zone. | Ord. 16.050 |

*4.	ORDINANCE HEARING	SECOND READING	CITY CLERK FILE
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| Introduced-9-0- | a. | Ordinance supplementing Chapter 99 (Barbershops and Beauty Parlors) adding Article III (Massage, Bodywork and Somatic Therapy Establishments) of the Jersey City Code. | Ord. 16.041
Intro. 2.24.16 |
| Introduced-9-0- | b. | An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A.</u> 40A:21-1, et seq., and Section 304-9 of the Municipal Code for property designated as Block 18704, Lot 16 commonly known by the street address of 747 Grand Street. | Ord. 16.042
Intro. 2.24.16 |
| Introduced-9-0- | c. | An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A.</u> 40A:21-1, et seq., and Section 304-9 of the Municipal Code for property designated as Block 18901, Lot 19.01 commonly known by the street address of 7 Berry Road. | Ord. 16.043
Intro. 2.24.16 |
| Introduced-9-0- | d. | Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic), Article VIII (Permit Parking) of the Jersey City Municipal Code. (Extends prohibited parking in Residential Zones in excess of three (3) hours in Zones 2, 4, 6 and 7 from 8:00 a.m. and 11:00 p.m.) | Ord. 16.044
Intro. 2.24.16 |

**** 5.**

PUBLIC REQUEST FOR HEARING

1. Migdelina Torres
2. LaVern Washington
3. Samuel Gutierrez
4. Yvonne Balcer

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
OFFICE OF THE CITY CLERK**

****6. PETITIONS AND COMMUNICATIONS**

- a. Minutes of the Regular Board Meeting of the Jersey City Incinerator Authority Board of Commissioners held January 26, 2016.
- b. Letter dated February 8, 2016 from Phillip T. Flood to Maureen K. Hulings, Chairperson, JCIA re: Resignation as a Commissioner & Vice Chairperson of the Jersey City Incinerator Authority.
- c. Letter dated February 23, 2016 from John H. Weakliem, LSRP Envision Environmental, Inc., to Robert Byrne, City Clerk re: Environmental Investigation and Cleanup, former J&S Ford, 315 Clendenny Avenue, Jersey City.
- d. Letter dated February 22, 2016 from Sarah Szymanski, REPSG React Environmental Professional Services Group to Robert Byrne, City Clerk re: A. Harry Moore, Route 440 & Duncan Avenue, Jersey City.
- e. Letter dated February 25, 2016 from Matthew J. Neuls, P.E., Dresdner Robin to Robert Byrne, City Clerk re: Sixth Street Pier Repair, NADC Application for major modification of in water Waterfront Development Permit.
- f. Letter dated February 25, 2016 from Alfred J. LoPilato, AECOM to Bureau of Case Assignment & Initial Notice Site Remediation Program, 22 Halladay Street, Jersey City.
- g. Application for Municipal Public Service dated February 25, 2016 from Paul Amatuzzo, Jersey City re: Historic Preservation Commissioner.
- h. Letter dated February 15, 2016 from G. Mehtz, PEI Prestige Environmental, Inc., to Robert Byrne, City Clerk re: Revised Biennial Certification - Soil, 135 Amity Street, Jersey City.
- i. Letter dated February 22, 2016 from Yacoub Yacoub, Unregulated Heating Oil Tank Program to Kevin O'Neill, Jersey City, NJ re: One 550 gallon #2 heating oil underground storage tank system, 377 Bergen Avenue, Jersey City.
- j. Letter dated February 24, 2016 from Haiyesh Shah, Department of Environmental Protection to Robert Byrne, City Clerk re: Comments-October 14, 2015 Site Investigation Report, PJP Site, 400 Sip Avenue, Jersey City.

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
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****6. PETITIONS AND COMMUNICATIONS**

- k. Letter dated February 22, 2016 from David W. Grossmueller, Ph.D, PSE&G to Robert Byrne, City Clerk re: NJDEP Division of Land Use Regulation Program application submitted by PSE&G Co., in support of repair, replacement and maintenance of natural gas distribution and transmission mains in public right of way.

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
OFFICE OF THE CITY CLERK**

****7. OFFICERS COMMUNICATIONS**

- a. Letter dated February 26, 2016 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulations- 16-003, Exchange Place 6:00 a.m.- 5:00 p.m., Saturday, April 23, 2016 for City Challenge Race.

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
OFFICE OF THE CITY CLERK**

****8. REPORT OF DIRECTORS**

- a. Memo dated February 24, 2016 from Ed Toloza, Tax Assessor to Robert Byrne, City Clerk re: Jackson Hill Main Street SID Assessment Roll 2016.
- b. Executive Order 2016-003 dated February 29, 2016 re: \$15.00 an hour minimum wage for all Municipal Employees.
- c. Letter dated February 3, 2016 from Steven M. Fulop, Mayor to All Department Directors & President and Members of the Municipal Council re: Reappointing Carla E. Smith, of Jersey City to serve as a Alternate Member of the Jersey City Rent Leveling Board. Ms. Smith's term will expire on January 2, 2017.

****9. CLAIMS**

- A. City Clerk
- B. Mayor's Office
- C. Tax Assessor
- D. Department of Administration
- E. Department of H.E.D.& C
- F. Department of Health & Human Services
- G. Department of Human Resources
- H. Department of Public Safety
- I. Department of Public Works
- J. Department of Recreation

****10. RESOLUTIONS****CITY CLERK
FILE #**

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| a. | Resolution authorizing an Emergency Temporary Appropriation. | Res. 16.126 |
| b. | Resolution reappointing Carla E. Smith as a Alternate Member of the Jersey City Rent Leveling Board. | Res. 16.127 |
| c. | Resolution of the Municipal Council of the City of Jersey City declaring the Bergen Hill Park Study area as an area in need of rehabilitation. | Res. 16.128 |
| d. | Resolution of the Municipal Council of the City of Jersey City declaring Scatter Site Study Area 1 as an area in need of redevelopment. | Res. 16.129 |
| e. | Resolution authorizing the purchasing agent to sell at public auction various motor vehicles not needed for public use. | Res. 16.130 |
| f. | Resolution authorizing the City of Jersey City to accept a gift of a memorial bench from Margaret Mendez for installation at Pershing Field Park. | Res. 16.131 |
| g. | Resolution authorizing the Jersey City Office of Emergency Management & Homeland Security to accept a grant from the Federal Emergency Management Agency (FEMA) thru the Hazard Mitigation Program Hazard Grant. | Res. 16.132 |
| h. | Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 127 Sherman Place, a/k/a Block 3503, Lot 7, f/k/a. Block 852, Lot32. | Res. 16.133 |
| i. | Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 484 Tonnele Avenue, a/k/a Block 3301, Lot 3, f/k/a/ Block 940, Lot 11.A. | Res. 16.134 |
| j. | Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 141 Bergen Avenue, a/k/a Block 23001, Lot 38, f/k/a/ Block 1284.5, Lot 13.B. | Res. 16.135 |
| k. | Resolution authorizing the Business Administrator to execute a discharge of mortgage affecting 206 York Street, a/k/a Block 14102, Lot 14. | Res. 16.136 |
| l. | Resolution authorizing a license agreement with the Jersey City Reservoir Presentation Alliance, Inc., granting permission to enter onto the city-owned property known as Reservoir No. 3 also known as Block 4802, Lot 1, formerly known as Block 835, Lot S. | Res. 16.137 |

****10. RESOLUTIONS****CITY CLERK
FILE #**

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| m. | Resolution amending Resolution 15.411 to now authorize the City of Jersey City's acceptance of compensation by New Jersey City University for the City's participation in the Clinical experiences of NJCU'S Nursing Students. | Res. 16.138 |
| n. | Resolution authorizing an agreement with Corporation Training Group for the support of proprietary computer hardware and software systems. | Res. 16.139 |
| o. | Resolution authorizing an agreement with Microsystems-NJ for the support of proprietary computer hardware and software systems. | Res.16.140 |
| p. | Resolution authorizing an agreement with Verizon to provide Centrex Communication Services, pursuant to <u>N.J.S.A.</u> 40A:11-5(1)(f). | Res. 16.141 |
| q. | Resolution authorizing an agreement with Let's Think Wireless for the support of proprietary computer hardware and software. | Res. 16.142 |
| r. | Resolution authorizing an agreement with Astro Tech for the support of proprietary computer hardware and software systems. | Res. 16.143 |
| s. | Resolution authorizing an agreement with Verizon to provide Telecommunication Services, pursuant to <u>N.J.S.A.</u> 40A:11-5(1)(f). | Res. 16.144 |
| t. | Resolution authorizing an agreement with Civil Solutions to perform Digital Tax Map Maintenance. | Res. 16.145 |
| u. | Resolution authorizing the renewal of an open end contract with City Electric to supply and deliver electrical supplies for the Department of Public Works/ Division of Buildings and Street Maintenance. | Res. 16.146 |
| v. | Resolution authorizing an extension of a contract with U.S. Security Association to provide security guard services for various locations citywide on a month to month basis not to exceed three (3) months for the Department of Administration, Administrative Services. | Res. 16.147 |
| w. | Resolution amending a contract with Hunter Research, Inc., in connection with the Van Wagenen - Apple Tree House Restoration (Phase III - Site Improvement), Project NO. 2010-029 for the Department of Administration, Division of Architecture. | Res. 16.148 |
| x. | Resolution of the Municipal Council of the City of Jersey City authorizing the award of a professional services agreement to Pediatric Consultant, Dr. Solomon Owusu. | Res. 16.149 |

****10. RESOLUTIONS****CITY CLERK
FILE #**

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| y. | Resolution amending and reauthorizing a professional service agreement with the law firm of Lite, DePalma, Greenberg, LLC to serve as Special Counsel on behalf of the City of Jersey City in commercial litigation. | Res. 16.150 |
| z. | Resolution amending and reauthorizing a professional Services agreement with the law firm of O'Donnell McCord, PC., to serve as Special Counsel to represent the City of Jersey City in tax appeals. | Res.1 6.151 |
| z1. | Resolution authorizing the award of a professional services contract to Adams, Rehmann & Heggan Associates, Inc., in connection with front and side facade assessment at Engine Co. #4-468 Ocean Avenue, Project No. 2015-032 for the Department of Administration, Division of Architecture. | Res. 16.152 |
| z2. | Resolution awarding professional service agreements to Attorneys at Law in the State of New Jersey, to serve as Public Defenders in the Jersey City Municipal Court for Calendar Year 2016. | Res. 16.153 |
| z3. | Resolution awarding a professional services agreement to Andrew C. Abrams, Esq., Attorney at Law of the State of New Jersey, to serve as Chief Municipal Public Defender in the Jersey City Municipal Court in addition to performing his duties as a Public Defender for the 2016 Calendar Year. | Res. 1.6154 |
| z4. | Resolution authorizing an agreement between the City of Jersey City and Usable Life Insurance Company to provide life insurance for non-management employees as an Extraordinary Unspecifiable Service. | Res. 15.155 |
| z5. | Resolution amending a professional services agreement with Charles Montange, Esq., to provide legal Counsel regarding Conrail's Abandonment of the 6 th Street Embankment. | Res. 16.156 |
| z6. | Resolution applauding the 2016 Saint Patrick's Day Parade Honorees. | Res. 16.157 |

11. DEFERRED OR TABLED AGENDA AS OF MARCH 9, 2016

- a. Ordinance# 14.025 Ordinance amending and supplementing Chapter 122 (Circuses, Carnivals and Public Assemblages) of the City of Jersey City Municipal Code. Tabled-8-0- prior to the close of the public hearing at the 03.12.14 meeting on motion by Councilperson Ramchal, seconded by Councilperson Yun, Councilperson Watterman: absent.
- b. Ordinance# 14.083 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) of the Jersey City Municipal Code. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on motion by Councilperson Coleman seconded by Councilperson Ramchal.
- c. Ordinance# 14.084 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) Sub-Article I (Division of Police) of the Jersey City Municipal Code establishing a Table of Organization. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Ramchal.
- d. Ordinance# 14.099 Ordinance authorizing the City of Jersey City to enter into a lease agreement as lessee with Jersey City Municipal, LLC as lessor for office space to be constructed at the HUB on an approximately 0.556 acre portion of Lot 17, Block 21201 intersection of Kearney Avenue and Martin Luther King Drive. Tabled-9-0- prior to the close of the public hearing at the 09.10.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Osborne.
- e. Ordinance# 14.109 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance - supplementary zoning as it pertains to height exceptions for rooftop appurtenance. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Osborne seconded by Councilperson Lavarro.
- f. Ordinance# 14.110 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Tidewater Basin Redevelopment Plan to create a mixed use district. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Lavarro seconded by Councilperson Ramchal.
- g. Ordinance# 14.170 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-27 (Angle Parking) of the Jersey City Code designating 30 degree angle parking on the north side of First Street, Marin Boulevard to Provost Street (Back In Parking Only). Tabled-9-0- after the close of the public hearing at the 1.14.15 meeting on a motion by Councilperson Osborne, seconded by Councilperson Coleman.
- h. Ordinance# 15.128 An ordinance amending Chapter 157 (Entertainment Licenses) of the Municipal Code to add Section 12 (Joseph Connors Senior Center) establishing usage regulations for the center. Tabled-7-0- after the close of the public hearing at the 9.24.15 meeting on a motion by Councilperson Coleman, seconded by Councilperson Watterman: Councilpersons Ramchal and Lavarro: absent.

11. DEFERRED OR TABLED AGENDA AS OF MARCH 9, 2016

- i. Ordinance# 15.135 An ordinance amending and supplementing Chapter 4 (Paid Sick Time) of the Jersey City Municipal Code. Tabled-7-0- prior to the close of the public hearing at the 10.14.15 meeting on a motion by Councilperson Watterman, seconded by Councilperson Osborne; Councilpersons Ramchal and Yun: absent.
- j. Ordinance# 15.162 Ordinance implementing Chapter 2 (Regular Municipal Elections) to change the date of the regular Municipal Elections from the second Tuesday in May to the Day of the General Elections in November. Tabled-9-0- prior to the close of the public hearing at the 11.24.15 meeting on a motion by Councilperson Coleman, seconded by Councilperson Ramchal.
- k. Ordinance# 15.177 Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article VI (Parking Facilities Operated by Division of Parking Enforcement) of the Jersey City Municipal Code. (Booting). Tabled-9-0- prior to the close of the public hearing at the 01.13.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Osborne.
- l. Ordinance# 16.012 Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article VI (Parking Facilities Operated by Division of Parking Enforcement) of the Jersey City Municipal Code (Booting). Tabled-9-0- prior to the close of the public hearing at the 01.27.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Ramchal.
- m. Ordinance# 16.021 An ordinance approving a 15 year tax exemption for a mixed-used market-rate condominium project to be constructed by Ninth Street Two Urban Renewal, LLC, an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A.40A:20-1 et seq. Tabled-9-0- after the close of the public hearing at the 02.10.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Coleman.
- n. Ordinance# 16.027 An ordinance amending Chapter 222 (Noise) repealing Article 1 (Noise Restrictions) and adopting revisions to local noise-control regulations recommended by the New Jersey Department of Environmental Protection. Tabled-9-0- prior to the close of the public hearing at the 02.24.16 meeting on a motion by Councilperson Rivera, seconded by Councilperson Ramchal.